UNITED NATIONS **A**

General Assembly

Distr.
LIMITED

A/AC.241/WG.I(X)/L.1
9 January 1997

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR THE ELABORATION OF AN
INTERNATIONAL CONVENTION TO COMBAT
DESERTIFICATION IN THOSE COUNTRIES
EXPERIENCING SERIOUS DROUGHT AND/OR
DESERTIFICATION, PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 2

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Draft Decision Submitted by the Chairman of Working Group I

Designation of a Permanent Secretariat and arrangements for its functioning: administrative arrangements

The Intergovernmental Negotiating Committee,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 49/234 of 23 December 1994,

Recommends that the Conference of the Parties adopt, at its first session, the following decision concerning the administrative arrangements involved in designating a Permanent Secretariat and making arrangements for its functioning.

Designation of a Permanent Secretariat and arrangements for its functioning: administrative arrangements

The Conference of the Parties,

Recalling that the Conference of the Parties, in accordance with Article 23, paragraph 3 of the Convention, shall, at its first session, designate a Permanent Secretariat and make arrangement for its functioning,

Having examined the recommendations of the Intergovernmental Negotiating Committee on the administrative arrangements involved in designation of a Permanent Secretariat and arrangements for its functioning,

1. Notes with appreciation the advice of the Secretary-General of the United Nations on this matter as contained in document A/AC.241/44, as amended in paragraph 4 of document A/AC.241/55, as well as the clarifications in document A/AC.241/64 and related comments made in Working Group I of the Committee;

2. Also notes with appreciation the advice of the Executive Director of the United Nations Environment Programme on this matter as contained in document A/AC.241/55/Add.2, as well as the clarifications in document A/AC.241/64 and related comments made in Working Group I of the Committee;

3. Decides that the Permanent Secretariat of the Convention shall be institutionally linked to the [United Nations] [United Nations Environment Programme], while not being fully integrated in the work programme and management structure of any particular department or programme;

4. Takes note of, and provisionally accepts the arrangements proposed by the [Secretary-General] [Executive Director] for administrative support to the Permanent Secretariat;

5. Decides to review these arrangements not later than its fourth session, in consultation with the [Secretary-General] [Executive Director], with a view to making such modifications as may be considered desirable by both parties;

6. Requests the Executive Secretary to pursue the question of the allotment of overhead to defer administrative expenses as indicated in the advice of the [Secretary-General] [Executive Director] and to report the results at its second session;

7. Expresses its appreciation to the departments and programmes of the United Nations, as well as agencies of the United Nations system, that have supported the Interim Secretariat of the Convention and the INCD process more generally and invites these entities and the Executive Secretary to collaborate in reaching understandings that specify the nature of cooperation and support which each entity would provide to the Permanent Secretariat.

UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/AC.241/WG.I(X)/L.2
13 January 1997

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR THE ELABORATION OF AN INTERNATIONAL CONVENTION TO COMBAT DESERTIFICATION IN THOSE COUNTRIES EXPERIENCING SERIOUS DROUGHT AND/OR DESERTIFICATION, PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 2

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Identification of an organization to house the Global Mechanism

Draft decision submitted by the Chairman of Working Group II

The International Negotiating Committee,

1. Approves the text in annex I to this decision on the functions of the Global Mechanism and the criteria for selecting an institution to house it;

2. Decides to transmit the text in annex I to this decision to the first session of the Conference of the Parties;

3. Invites the International Fund for Agricultural Development (IFAD) and the United Nations Development Programme (UNDP) to submit to the interim secretariat, by 1 May 1997, revised versions of their offers to house the Global Mechanism, as contained in document A/AC.241/33, including the proposed administrative operations of such Mechanism, taking full account of annex I to this decision;

4. Requests the interim secretariat to compile the submissions from IFAD and UNDP in a document to be presented to the first session of the Conference of the Parties.

97-00865 (E) 130197 140197

UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/AC.241/WG.I(X)/L.3
13 January 1997

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR THE ELABORATION OF AN INTERNATIONAL
CONVENTION TO COMBAT DESERTIFICATION IN
THOSE COUNTRIES EXPERIENCING SERIOUS
DROUGHT AND/OR DESERTIFICATION,
PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 2

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Programme and budget

Draft decision submitted by the Chairman of Working Group I

The International Negotiating Committee,

Recalling that article 22, paragraph 2 (g) of the Convention requires the Conference of the Parties to approve a programme and budget for its activities,

1. Requests the interim secretariat, in accordance with paragraph 1 of the draft financial rules recommended to the Conference of the Parties by the Committee, as contained in annex I to decision 10/?, to circulate, at least ninety days prior to the first session of the Conference of the Parties, necessary draft decisions related to the programme of work and budget of the Conference of the Parties, as well as detailed budget estimates for the biennium 1998-1999;

2. Further requests the interim secretariat to carry out the tasks referred to in operative paragraph 1 on the basis of documents A/AC.241/65 and A/AC.241/46, while taking full account of comments made on this subject by delegations at the tenth and earlier sessions of the Committee.

97-00871 (E) 130197 140197

UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/AC.241/WG.I(X)/L.4
16 January 1997

ORIGINAL: ENGLISH

INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR THE ELABORATION OF AN INTERNATIONAL
CONVENTION TO COMBAT DESERTIFICATION
IN THOSE COUNTRIES EXPERIENCING SERIOUS
DROUGHT AND/OR DESERTIFICATION,
PARTICULARLY IN AFRICA
Tenth session
New York, 6-17 January 1997
Agenda item 2

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Draft decision submitted by the Chair of Working Group I

Financial rules of the Conference of the Parties, its subsidiary bodies and the permanent secretariat

The Intergovernmental Negotiating Committee,

Recalling its mandate to prepare for the first session of the Conference of the Parties pursuant to General Assembly resolution 49/234 of 23 December 1994,

Recommends that the Conference of the Parties adopt, at its first session, the following decision regarding the financial rules of the Conference of the Parties, its subsidiary bodies and the permanent secretariat:

Financial rules of the Conference of the Parties, its subsidiary bodies and the permanent secretariat

The Conference of the Parties,

Considering the provisions of the Convention, particularly article 22, paragraph 2 (e), which stipulates that the Conference of the Parties shall adopt, at its first session, financial rules for itself and any subsidiary bodies,

97-01280 (E) 160197

/...

Having examined the recommendations of the Intergovernmental Negotiating Committee on the financial rules of the Conference of the Parties, its subsidiary bodies and the permanent secretariat,

Decides to adopt the financial rules attached to the present decision.

Financial Rules for the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, its subsidiary bodies and the permanent secretariat

Scope

1. The present rules shall govern the financial administration of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, its subsidiary bodies and the permanent secretariat. Insofar as not specifically provided by the present rules, the Financial Regulations and Rules of the United Nations shall apply.

Financial period

2. The financial period shall be a biennium, of which the first calendar year shall be an even-numbered year.

The budget

3. The head of the permanent secretariat shall prepare the budget estimates for the following biennium in United States dollars showing projected income and expenditures for each year of the biennium concerned. The head of the permanent secretariat shall dispatch the estimates to all Parties to the Convention at least ninety days before the opening of the session of the Conference of the Parties at which the budget is to be adopted.

4. The Conference of the Parties shall, prior to the commencement of the financial period that the budget covers, consider the budget estimates and adopt by consensus a core budget authorizing expenditures other than those referred to in paragraphs 9 and 10.

5. Adoption of the core budget by the Conference of the Parties shall constitute authority to the head of the permanent secretariat to incur obligations and make payments for the purposes for which the appropriations were approved and up to the amounts so approved, provided always that, unless specifically authorized by the Conference of the Parties, commitments shall be covered by related income.

6. The head of the permanent secretariat may make transfers within each of the main appropriation lines of the approved core budget. The head of the permanent

secretariat may also make transfers between such appropriation lines up to limits which the Conference of the Parties may set as appropriate.

Funds

7. A General Fund for the Convention shall be established by the Secretary-General of the United Nations and managed by the head of the permanent secretariat. Contributions made pursuant to paragraph 12 (a), along with any additional contributions to offset core budget expenditures that are made, pursuant to paragraphs 12 (b) and 12 (c), by the Government hosting the permanent secretariat and by the United Nations shall be credited to the General Fund. All core budget expenditures made pursuant to paragraph 5 shall be charged to the General Fund.

8. Within the General Fund there shall be maintained a working capital reserve at a level to be determined from time to time by the Conference of the Parties by consensus. The purpose of the working capital reserve shall be to ensure continuity of operations in the event of a temporary shortfall of cash. Drawdowns from the working capital reserve shall be restored from contributions as soon as possible.

9. A Supplementary Fund shall be established by the Secretary-General of the United Nations and managed by the head of the permanent secretariat. The Supplementary Fund shall receive contributions pursuant to paragraphs 12 (b) and (c), other than those specified in paragraphs 7 and 10, including contributions earmarked, in accordance with paragraph 15, for:

(a) Support to the participation of some representatives of non-governmental organizations from affected developing country Parties, particularly the least developed among them, in sessions of the Conference of the Parties;

(b) Facilitation of assistance to affected developing countries in accordance with article 23, paragraph 2 (c) and article 26, paragraph 7, of the Convention;

(c) Other appropriate purposes consistent with the objectives of the Convention.

10. A Special Fund shall be established by the Secretary-General of the United Nations and managed by the head of the permanent secretariat. The Special Fund shall receive contributions pursuant to paragraphs 12 (b) and (c) earmarked to support the participation of representatives of developing, and in particular least developed, country Parties affected by desertification and/or drought, particularly those in Africa, in the sessions of the Conference of the Parties and its subsidiary bodies.

11. In the event that the Conference of the Parties decides to terminate a fund established pursuant to the present rules, it shall so advise the Secretary-General of the United Nations at least six months before the date of termination so decided. The Conference of the Parties shall decide, in consultation with

the Secretary-General of the United Nations, on the distribution of any uncommitted balances after all liquidation expenses have been met.

Contributions

12. The resources of the Conference of the Parties shall comprise:

(a) Contributions made each year by Parties on the basis of an indicative scale adopted by consensus by the Conference of the Parties, and based on such a scale of assessments of the United Nations as may be adopted from time to time by the General Assembly, adjusted so as to ensure that no Party contributes less than 0.01 per cent of the total, that no one contribution exceeds 25 per cent of the total and that no contribution from a least developed country Party exceeds 0.01 per cent of the total;

(b) Other contributions made by Parties in addition to those made pursuant to paragraph (a);

(c) Contributions from States not Parties to the Convention, as well as governmental, intergovernmental and non-governmental organizations, and other sources;

(d) The uncommitted balance of appropriations from previous financial periods attributed to the fund concerned;

(e) Miscellaneous income attributed to the fund concerned.

13. The Conference of the Parties shall, in adopting the indicative scale of contributions referred to in paragraph 12 (a), make adjustments to take account of contributions of Parties which are not members of the United Nations, as well as those of regional economic integration organizations that are Parties.

14. In respect of contributions made pursuant to paragraph 12 (a):

(a) Contributions for each calendar year are expected on or before 1 January of that year;

(b) Each Party shall, as far in advance as possible of the date due for the contribution, inform the head of the permanent secretariat of the contribution it intends to make and of the projected timing of that contribution.

15. Contributions made pursuant to paragraphs 12 (b) and (c) shall be used in accordance with such terms and conditions, consistent with the objectives of the Convention, as may be agreed between the head of the permanent secretariat and the contributor. Contributions to the Supplementary Fund referred to in paragraph 9 shall, as appropriate, be placed in sub-accounts.

16. Contributions made pursuant to paragraph 12 (a) from States and regional economic integration organizations that become Parties to the Convention after the beginning of a financial period shall be made pro rata temporis for the

balance of that financial period. Consequent adjustments shall be made at the end of each financial period for other Parties.

17. All contributions shall be paid in United States dollars or its equivalent in a convertible currency into a bank account to be designated by the Secretary-General of the United Nations, in consultation with the head of the permanent secretariat.

18. The head of the permanent secretariat shall acknowledge promptly all pledges and contributions and shall inform the Parties, once a year, of the status of pledges and payments of contributions.

19. Contributions not immediately required shall be invested at the discretion of the Secretary-General of the United Nations, in consultation with the head of the permanent secretariat. The resulting income shall be credited to the appropriate fund or funds referred to in paragraphs 7, 9 and 10.

Accounts and audit

20. The accounts and financial management of all funds governed by the present rules shall be subject to the internal and external audit process of the United Nations.

21. During the second year of the financial period the United Nations shall provide the Parties with an interim statement of accounts for the first year of the financial period. The United Nations shall also, as soon as practicable, provide to the Parties a final audited statement of accounts for the full financial period.

Administrative support costs

22. The Conference of the Parties, under such terms as may from time to time be mutually agreed upon between it and the United Nations, shall reimburse the United Nations from the funds referred to in paragraphs 7, 9 and 10, as the case may be for the purposes of services rendered, including the administration of the relevant fund by the United Nations, to the Conference of the Parties, its subsidiary bodies and the permanent secretariat.

Amendments

23. Any amendment to the present rules shall be adopted by the Conference of the Parties by consensus.